

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
November 8, 2005**

The Board of County Commissioners of Leon County, Florida, met in regular session November 8, 2005 at 3:00 p.m. with Chairman Thaeli presiding.

Present were Commissioners Sauls; Winchester; Grippa; Rackleff; and DePuy. Also present were County Attorney Herb Thiele; County Administrator Parwez Alam; Director of Finance Bill Bogan, Jr.; and Board Secretary Diane F. Norvell.

Commissioner Thaeli asked everyone to pray for Commissioner Proctor and his family as he was absent due to the death of his mother-in-law.

Invocation and Pledge of Allegiance

The Invocation was provided by Rabbi Jack Romberg of Temple Israel at the invitation of Commissioner Rackleff, followed by the Pledge of Allegiance to the Flag led by Commissioner Rackleff.

Awards and Presentations

Riley House

- Presentation on the North Leon County Heritage Trail Guide by Ms. Althemese Barnes, Riley House. Ms. Barnes thanked Don Lanham, County Grants Coordinator and the Commissioners for their support in efforts to preserve Leon County's historical trails. Ms. Barnes distributed two brochures "Main Roads & Cross Roads" and "African American Oral Histories North Leon County, Florida" that reflect the rich connecting history of Leon County. Ms. Julianne Hare, Rabbits-Ben Productions enjoys this tour as a history buff and appreciates the opportunity to stimulate economic development through historical preservation.

Also in attendance: Ms. Eryn Calabro, Assistant Director of the Riley House.

Pee Wee Football

Mr. Bill Pfeiffer, Woodville Jaguars Pee Wee Football Team announced the team was headed to the Regional Pop Warner Football Championship. The Jaguars were excited to represent Leon County and Mr. Pfeiffer requested \$500 in funding from the County for team travel expenses to Jacksonville.

Coach Mike Wallace, Commissioner for Big Bend Pop Warner Football expressed thanks to the Board for their support of Pop Warner and stressed the Program emphasizes academics and family come first. Overall grade point

average must be at least 2.0 to participate in the league and several players are honor students.

Commissioner Grippa moved, seconded by Commissioner Rackleff to waive the rules and discuss the funding request. The motion carried 5-0, with Commissioner Winchester out of chambers, and Commissioner Proctor absent.

Commissioner Sauls moved, seconded by Commissioner Grippa to provide \$500 for Woodville Pop Warner. The motion carried 5-0, with Commissioner Winchester out of chambers, and Commissioner Proctor absent.

Consent

ACTION TAKEN: Items #7 and #12 were pulled for discussion. Commissioner Sauls moved, seconded by Commissioner Grippa, to approve staff recommendations of the remaining Consent Items. The motion carried unanimously 5-0, with Commissioner Winchester out of chambers, and Commissioner Proctor absent.

1. Approval of Minutes for October 11, 2005 Regular Meeting and October 12, 2005 Fallschase Special Meeting

The Board approved Option 1: Approve the minutes of the October 11, 2005 Regular Meeting and October 12, 2005 Special Fallschase Meeting.

2. Approval of Payment of Bills and Vouchers Submitted for Approval for November 2, 2005, and Pre-approval Payment of Bills and Vouchers for the Period November 9 through November 21, 2005

The Board approved Option 1: Approve payment of bills and vouchers submitted for approval for November 8, 2005, and pre-approve payment of bills and vouchers for the period November 9, 2005 through November 21, 2005.

3. Request to Schedule Two Public Hearings on the Submittal of a Small Cities Community Development Block Grant – Economic Development Category Application for Tuesday, November 23, and December 13, 2005

The Board approved Options 1 and 2: 1) Schedule the first public hearing on the submittal of a Small Cities Community Development Block Grant - Economic Development Category Application to be conducted by staff on November 23, 2005 at 10:00 a.m. and 2) Schedule the second public hearing on the submittal of a Small Cities Community Development Block Grant – Economic Development Category Application, to be conducted by the Board, for December 13, 2005 at 6:00 p.m.

4. Authorization to Carry Forward FY 2004/05 Appropriations and Additional Project Appropriation Requests

The Board approved Option 1: Approve carry forwards of FY 2004/05 appropriation to the FY 2005/06 budget and approve associated resolution and budget amendment.

5. Acceptance of the 2005 Edward Byrne Memorial Justice Assistance Grants for Equipment and Programs

The Board approved Option 1: Accept the 2005 Edward Byrne Memorial Justice Assistance Grants for Equipment and Programs and authorize the Chairman to execute the Certificates of Acceptance for the Byrne Justice Assistance Grants (JAG) for crime scene unit equipment, the enhanced pretrial/probation program, the Livescan workstation and the THUGS Initiative.

6. Approval to Apply Teen Court Reserve Funding for an OPS Receptionist Position

The Board approved Option 1: Approve use of funding from the Teen Court Reserve to fund an OPS receptionist position and approve the associated Budget Amendment Request.

7. Acceptance of the West Pensacola Sector Plan

This item was pulled for discussion by Commissioner Sauls.

- County Administrator Alam reported Staff would give a brief presentation.
- Mr. Darrin Taylor, Planning Department stated the West Pensacola Sector Plan is the last of the Southern Strategy Sector Plans required in the Comprehensive Plan. The Planning Department was actively involved with the community in the development of this plan. The plan seeks to address the future of this area balancing the issues between increased student housing and activities with existing neighborhoods. The main issue is resident housing and home ownership vs. student housing. There are two scenarios provided in Map Option 1 and Map Option 2. Staff recommendations speak to issues like quality of life, noise, and public safety. There needs to be better communication between the University, the City, the residents of the neighborhoods, and property owners to assist in drafting recommendations to improve these 'quality of life' issues in the report.

Option 1 – Protects existing single-family residential neighborhoods and seeks to return the area to one in which the majority of residents are home-owners

Option 2 – Recommends the area move toward urbanization through increasing densities in the low home ownership areas.

Speakers:

Stephen K. Miller, resident acknowledged the large amount of work Mr. Taylor did. Mr. Miller opts for the diversity plan. However, he quoted Mr. Taylor's report "students are directed away from other areas of the community". Mr. Miller asked if this was 'ghettofication' or is that taking a socio-economic group of people unrepresented and putting them in a densified area.

- Commissioner Sauls asked Mr. Taylor if he could explain the wording Mr. Miller referred to and point out where this was written in the report.
- Mr. Taylor stated the Planning Dept. was sensitive to the existing neighborhoods. Residents basically expressed two opposing views of the direction they want their neighborhood to move toward.
- Commissioner Sauls asked Mr. Miller to expound on his comments.
- Mr. Miller pointed out that if this were the Frenchtown Renaissance Project and the County was 'densifying' in that location to direct 'those' people from areas of the community the Commission would be outraged. He stated he's been against segregation and treating socio-economic groups unfairly for quite awhile and is extremely offended by the language used by the County Planning Dept. in the proposal.
- Mr. Taylor insisted the County is not directing a class or type of person away from the West Pensacola area. Staff researched that 64% of the area is already identified as 'college student'. Staff is not talking about directing anyone away from the area, but about what level of density in the future this area would be. Clearly, allowing for an increase in density allows for the possibility of changing an area from a single-family to duplexes or apartments, for example.

Michael Dalton, resident noted that Mr. Taylor did the best he could trying to balance the input he received. Mr. Dalton quoted several statistics for this sector:

- - comprises about 2% of the land in Tallahassee, 10% of the residents in Tallahassee are being housed there
- Very high density. 22.3 residents per acre. 46% of the land-residential. 17.2% - single-family homes, Approx. 80.3% multi-family homes. 19.8% family households – 70% of this 19.8% are single parents. 63.5% are students.
- 21.71% of the sex crimes in the City of Tallahassee occur within this sector, 14.38% of all burglaries.
- 60% of roadways are deficient or near deficient.

Thinks any incentives the County or City would offer would be seen as an exercise of eminent domain. Residents are extremely opposed to this Plan and are hoping the Commission will find ways to improve the 'quality of life' for the *current* residents before new residents arrive.

Curtis Baynes, resident commended Mr. Taylor and Staff. There is a recurring theme – noise, lack of police responding to noise complaints, garbage accumulation – these are all problems relating to the delivery of City Services. Wonders how licensing landlords and inspecting properties will improve the quality of City Services.

Mary Ballard and Ursula Danzy, representing the Bloxham Terrace Neighborhood Homeowners Association speaking on behalf of the 61% of homeowners in their area. This neighborhood includes professors from FAMU, TCC, and FSU; state workers, business owners. Want to maintain and preserve their neighborhood.

- Commissioner Sauls stated she has received numerous phone calls, memos, and e-mails from people who live in this sector requesting to workshop this item. Commissioner Sauls indicated a Joint Workshop with the City would be appropriate; but if that cannot be achieved, then the County can conduct a workshop.

Commissioner Sauls moved, seconded by Commissioner DePuy to continue the item to a Workshop. The motion carried 4-0, with Commissioners Grippa and Winchester out of chambers, and Commissioner Proctor absent.

- Commissioner Rackleff noted planning ahead is extremely important considering the number of students that will eventually need housing 10 – 20 years from now. Commissioner Rackleff stated FSU should be encouraged to provide more housing since students are forced to move off-campus.
- Commissioner Thael directed Staff to ensure the citizens who spoke today are notified of the date, place, and time of the Workshop.

8. Approval of Amendment to the Agreement with Capital Area Chapter of the American Red Cross for Capital Area Citizens Corps

The Board approved Option 1: Approve the First Amendment to Agreement with the Capital Area Chapter of the American Red Cross for the Capital Area Citizens Corps and authorize the Chairman to execute.

9. Approval of Amendment to the Agreement with Capital Area Chapter of the American Red Cross for Community Emergency Response Team

The Board approved Option 1: Approve the First Amendment to the Agreement with the Capital Area Chapter of the American Red Cross for Community Emergency Response Teams and authorize the Chairman to execute.

10. Acceptance of Three Conservation Easements from R.B. Home Development, Inc.

The Board approved Option 1: Approve and accept for recording the three conservation easements from R.B. Home Development, Inc. for the Fox Hollow Farms Limited Partition Subdivision.

11. Acceptance of Four Conservation Easements from Reginald L. Bouthillier, Jr.

The Board approved Option 1: Approve and accept for recording the four conservation easements from Reginald L. Bouthillier, Jr. for the Rivendell Limited Partition Subdivision.

12. Approval of Policies and Procedures Manual for Permitting Development in the Unincorporated County Pursuant to the Leon County/City of Tallahassee Water and Sewer Agreement

This item was pulled for discussion by Commissioner DePuy.

- County Administrator Alam detailed the item for the Board.
- Commissioner DePuy reported he spoke with Mr. McDevitt regarding the issues he wanted clarified and is now ready to move Option 1.

Commissioner DePuy moved, seconded by Commissioner Sauls to approve Option 1: Approve the revised Policies and Procedures Manual for the implementation of the Water and Sewer Agreement between the County and City. The motion carried 4-0, with Commissioners Grippa and Winchester out of Chambers, and Commissioner Proctor absent.

13. Approval of Agreement Awarding Bid to Morgan Electric for an Upgraded Replacement of the Uninterruptible Power Supply at the County Courthouse

The Board approved Option 1: Approve Agreement to award bid to Morgan Electric in the amount of \$108,700 for an upgraded replacement of the uninterruptible power supply at the Leon County Courthouse, approve the related budget amendment request, and authorize the Board Chairman to execute the Agreement.

14. Ratification of Actions Taken at the October 25, 2005 Workshop on Status of Internet Access for Rural Areas in Leon County

The Board approved Option 1: Ratify the actions of the October 25, 2005 Workshop on Status of Internet Access for Rural Areas in Leon County.

15. Request to Schedule a Public Hearing Regarding the Proposed Abandonment of Lord Fox Road for December 13, 2005 at 6:00 p.m.

The Board approved Option 1: Schedule the public hearing to consider the Lord Fox Road abandonment request for December 13, 2005 at 6:00 p.m.

16. Authorization to Issue a Request for Proposals for Property Appraisal Services

The Board approved Option 1: Approve the issuance of a Request for Proposals for Property Appraisal Services.

17. Revocation of the City of Tallahassee Sewer Franchise for Parcel Identification Number 25-36-20-853-0000 (Proposed Rivers Landing Subdivision) in Accordance with the Water and Sewer Agreement with the City of Tallahassee and Request to Schedule a Public Hearing to Consider Any Forthcoming Request from a Sewer Utility Provider for the Sewer Franchise for December 13, 2005 at 6:00 p.m.

The Board approved Options 1 and 2: 1) Revoke the Sewer Franchise granted to the City of Tallahassee by the Water and Sewer Agreement for County Parcel Identification number 25-36-20-853-0000, also known as the proposed River's Landing Subdivision; and 2) Schedule a Public Hearing to consider a request from a sewer utility provider for the Sewer Franchise for County Parcel Identification number 25-36-20-853-0000, also known as the proposed River's Landing Subdivision for December 13, 2005 at 6:00 p.m.

18. Approval of Amendments to the Leon County Division of Animal Control Policy and Procedures Manual

The Board approved Option 1: Approve the amendments to the Leon County Division of Animal Control Policy and Procedures Manual.

Citizens to be Heard on Non-Agendaed Items: (3 min. limit; non discussion by Commission

- Commissioner Thael stated a large number of speakers indicated they wanted to speak for 6 minutes and informed everyone that would require them to stay until the end of the meeting. Citizens wanting to speak for 3 minutes could do so now.

Speakers:

Bill Phelan, 9601-20 Miccosukee Rd. representing TEAM (Tallahassee Equality Action Ministry) reported over 600 citizens attended a TEAM meeting the previous night where the Commissioners in attendance were applauded. Biggest issue: lack of comprehensive health care plan for the uninsured. Leon County Primary Healthcare Advisory Board stopped work 5 months ago on this plan because they are waiting for the Board to get them started back

up. Requests to put this item on the Board's agenda for the November 22, 2005 meeting and set a timeline for completion of the Comprehensive Healthcare Plan for the uninsured.

Eleanor Elfnor 1107 Seminole Dr. – reminded Commissioners over 18,000 citizens who this issue effects could not attend the meeting due to their health, lack of transportation, and the time of the meeting. Remember to include them as deeply concerned citizens.

Pastor Stanley Simms 9217 Miccosukee Rd. informed the Board of plans to hold a tribute to Rosa Parks. A celebration in her honor is scheduled to be held December 1st downtown. The event will include a service at the First Presbyterian Church, followed by a march to the bus depot where a presentation will be made. Community leaders will be in attendance and he invited the Commissioners to take part in this event to help make it community wide. Wants Board to designate a Commissioner to take part in the preparations.

- Commissioner Thael informed Pastor Simms the Board would address this issue at the appropriate time in the agenda and thanked him for attending.

Charles Witmer 1943 Lawson Rd. in support of healthcare issues detailed by TEAM. Attended meeting with over 600 people who want Board to consider putting this issue on agenda.

General Business

19. Approval of Interlocal Agreement Regarding Construction of Innovation Park Facility for Danfoss Turbocor Relocation

- County Administrator Alam informed the Board that Mr. Ben Pingree would provide an overview of the item.

Mr. Benjamin Pingree, Assistant to the County Administrator stated this issue has been complex and dynamic. The company has requested an aggressive schedule for the construction of the building planning to move in by May, 2006. This is a 65,000 sq. ft. building with an estimated cost of around \$5 million. The Interlocal Agreement builds on the MOU approved on October 25th by:

- Codifies County will pay \$813,500 giving the County 25% ownership of the building. City would do the same with the same ownership.
- Innovation Park - the Authority would provide \$450,000; bond the remaining \$3 million toward construction; provide three lots; Innovation Park worth \$1.2 million, provide administrative oversight of the building during life of the lease giving them 50% ownership.

Intent is to write a 20 year below market lease to the company with a future option to buy. Each owner will take the risk that if the company would fail or cease to exist they would be liable for the debt service. 25% of the annual

debt service cost is approximately \$60,000 annually. However, if the building is sold, the County would share in the cost disbursement of the building's sale. Attachment 4 details concerns the EDC has with the aggressive construction schedule. EDC requests the County and City advance fund the \$813,500 each and that they accept Danfoss Turbocor Compressors as the guarantor on the lease. Previously the company had agreed to have their parent company, Danfoss, guarantee the bond and the lease. Staff does not oppose this so long as that company is determined viable by a lender, and that the lender would sign a 'letter of commitment'. Staff does have a concern about releasing the funds at this time – the \$813,500 for construction. As provided in Staff's recommendation – approval of Options 1, 2 and 3 – release of the building funds is recommended subsequent to:

- 1) execution of the sublease with the company (negotiations on that issue are ongoing at this time)
- 2) 'letter of commitment' secured by Innovation Park from lender for financing remaining construction costs.

Essentially, Staff does not want the County put in a position where we let funds go on the construction and then cannot secure financing to finish the job. Once the two items noted above are met, Innovation Park plans on executing their construction contract. Staff believes that would be the appropriate time to release the funds. Not releasing the funds at this time also puts the County in a healthier position for negotiating the sublease (which is ongoing). Both Innovation Park and the City share Staff's concerns and agree with this recommendation.

- Commissioner Grippa asked Mr. Pingree if Staff has seen the financials on the sub company. Commissioner Grippa stated he requested the financials from Brad Day, Economic Development Council (EDC).
- Mr. Brad Day informed Commissioner Grippa that one set of financials has been submitted by one of the shareholding parent companies Danfoss. Mr. Day affirmed Commissioner Grippa's concern stating no 'due diligence' process should be abbreviated prior to the completion of this deal. Mr. Day indicated he was speaking on behalf of his Chairman, and that the EDC agrees with Staff on Option 1 and 2. The only exception is within Option 3B, the requirement that a letter be given to Innovation Park.
- Commissioner Grippa stated he is concerned that one company submitted financials for approval; but, now wants to move to a different company. The Board needs to review the company financials for the current company listed in this Agreement. Mr. Day does not want to delay the process too long. Commissioner Grippa requested Staff's Auditor review the Agreement. David Moore will look into this matter.

Commissioner Grippa moved, seconded by Commissioner Winchester to approve Options #1, #2, and #3 (modified to be contingent upon the County's Financial Advisor reviewing the Financial wherewithal of the subcorporation that is signing this contract.) 1) Approve the Agreement among Tenants in

Common between the County, City and Leon County Research Development Authority and authorize the County Administrator to modify the Interlocal Agreement, if necessary, prior to the Chairman executing the Agreement.

2) Authorize the County Administrator to determine the "acceptability" of the sublease between the "Tenants In Common" and the Company, on behalf of the County, and 3) Approve the attached Bar and Resolution appropriating \$1,605,000 in total incentives and Authorize the County Administrator to release those direct incentive funds in accordance with related Board approved agreements, to include the release of a \$813,500 incentive for building construction upon a) the execution of a sublease with the Company and, b) contingent upon the County's Financial Advisor reviewing the Company's financial viability and ability to be bonded. The motion carried 6-0, with Commissioner Proctor absent.

- Commissioner Sauls indicated she supports the motion and thinks the added contingent was a good measure.
- Commissioner Thaeli congratulated everyone involved in bringing the project into being. The jobs and income generated as well as the 'cutting edge technology' will be an excellent addition to Leon County.

20. Approval of Grant Contract Between Leon County and the Florida Communities Trust to Acquire a 14 acre Parcel on the Northwest Shore of Lake Jackson

- County Administrator Alam reported Commissioner Winchester has been working with Staff on this project for a long time. County Administrator Alam stated he was very pleased with the approval of the \$4 million Grant by Florida Communities Trust (FCT) for this acquisition. There is a County match of \$1.3 million. County Administrator Alam stated the issue now is how the Board plans to come up with their \$1.3 million to match the Grant. Staff believes these monies will not be required until the next fiscal year. If for any reason the monies would be required prior to October or November of 2006 Staff would return to the Board for a recommendation on obtaining the funds.

County Administrator Alam stated the project will require \$25,000 start-up money. The County's share would be 25% and the City's share would be 75% of the \$25,000 and any expenditure at this point. County Administrator Alam stated Staff recommends moving Options 1, 2, and 3.

County Administrator Alam referenced comments from Board members suggesting different uses for the property including concessions, or restaurants and stated these ventures could pay for the ongoing maintenance and expenditures on the County's part.

Commissioner Winchester moved, seconded by Commissioner Grippa to approve Options 1, 2 and 3: 1) Approve the Grant Contract and

Confidentiality Agreement with the Florida Communities Trust to acquire a 14-acre parcel on the northwest shore of Lake Jackson, and authorize the Chairman to execute, and 2) Approve the associated Budget Amendment Request, and 3) Direct the Office of Management and Budget to include the County's 25% match of \$1,306,250 and direct the Office of Management and Budget to review the Division of Parks and Recreation funding needs for this project in the FY 07 budget cycle. The motion carried 6-0, with Commissioner Proctor absent.

- Commissioner Winchester thanked County Administrator Alam, Staff, and Craig, and then introduced Martha Forehand and her son, Justin owners of "Red and Sams" the land to be redeveloped.

Mr. Justin Forehand, expressed the land is 'near and dear' to their hearts after being part-owners for 36 yrs. They have given a lot of consideration to relinquishing their land. They believe making this property into a park and public access area for citizens of Leon County to enjoy would be the best use for the land. Thanked everyone involved.

- Commissioner Winchester stated "Red and Sams" Fish Camp is a legend. Commissioner Winchester noted that the sewer line in front of the property creates the possibility for use of this property as an RV Camp. Commissioner Winchester stated this addition of 'sewer' is good for Lake Jackson and the redevelopment of this land in terms of eco-tourism and monies that can be generated.
 - Commissioner DePuy thanked Commissioner Winchester for supporting this redevelopment and confirmed his support also. Commissioner DePuy asked County Administrator Alam if the County intended to issue an RFP for a vendor to take over the operations and use this property for continued recreation and access to Lake Jackson. The County Administrator stated that was Staff's current intention; but, they will present a Plan to the Board with full details.
 - Commissioner DePuy asked if citizens would be able to launch their boats, and perform vendor-related, fishing-related activities at the location. County Administrator Alam said this was correct. Commissioner DePuy stated he intends to support the motion.
 - Commissioner Rackleff questioned the price of the property which is about \$370,000 per acre.
 - Mr. Hodges responded this price is a starting point. FCT requires the County to obtain at least 2 appraisals that will be reviewed and certified by FCT also.
21. Approval to Initiate a Proposed Amendment (Policy 1.1.6[R]) to the Comprehensive Plan During the 2006-2 Cycle to Limit Local Government's Ability to Dispose of Properties Acquired for Park Space or Recreation

County Administrator Alam stated Staff recommends not to approve this amendment.

- Commissioner Winchester brought this item forward because other communities require an amendment to the Comp Plan before park land is sold. Commissioner Winchester requested Staff report on why they recommend against this amendment.
- Planning Staff explained the County may be inadvertently encumbering itself and limiting options for disposal of property in the future.
- Commissioner Winchester asked if Staff could draft a document to address those issues.
- Wayne Tedder, Director of Planning Dept. explained when the City or County purchases land for open space or recreation this purchase needs to be designated as such on the Future Land Use Map to allow the land uses to start working around those areas. If for some reason the land is changed to another type of use; then, a Comp Plan Amendment with full notification and the public participation process would occur. At this point, to determine the existing caveats would be extremely difficult for Staff to create a type of 'out-mechanism' without knowledge of exactly what type of land is involved.
- Commissioner Winchester asked if a policy could be adopted so an ordinance could clearly detail circumstances that would prevent the sale of park land.
- Mr. Tedder reported he didn't believe an ordinance would be the appropriate process in terms of the land development use regulations. There may be an internal policy provision the City and County can adopt. But, if this is a City matter, the County cannot establish a policy for them. Mr. Tedder expressed that Commissioner Winchester's mechanism to get this issue into the Comprehensive Plan is good; it's just the means that needs to be addressed. Staff may need to identify this land as open space on the Future Land Use Map and let the Comp Plan Amendment Process be the dialogue that the City and County Commissions have.
- County Administrator Alam asked if one method would take longer than the other.
- Mr. Tedder reported the time frame would be the same. Mr. Tedder said he would be comfortable with looking at City/County properties to determine which properties are identified in the community for recreation uses, designate those as 'open space' on the future land use category and bring those back as a Map Amendment for the Cycle in January 2006.

Commissioner Winchester moved, seconded by Commissioner DePuy to direct Staff to initiate a County-initiated Comp Plan Amendment, focusing on the Northwest Park for Cycle 2006-1 and initiate Comprehensive Plan Land Use Map Amendment designating other lands for recreation open space for Cycle 2006-2. The motion carried 6-0, with Commissioner Proctor absent.

- Commissioner DePuy supports the motion so citizens can use the land in a way they have been told they could. Commissioner DePuy asked the County

Attorney if this could be drafted to ensure these matters are addressed on a case by case basis. The County Attorney said yes.

- Commissioner Rackleff asked if the County approved this and the City didn't wouldn't the options be limited.

More board discussion ensued.

22. Board Direction Regarding the Killearn Lakes Restoration Project – Florida Forever Grant

County Administrator Alam stated the Grant was written designating the County as the Project Manager and Killearn Lakes Homeowners Association as the Contractor. However, the Northwest Florida Water Management District is saying the County should be designated as the Contractor.

- Commissioner Grippa suggested the County move forward as the Contractor and work with the Association; but, they first try to go forward with the Appeal.

Commissioner Grippa moved, seconded by Commissioner Sauls to continue the appeal of the Water Management District contract requirement for Leon County to serve as contractor for the Florida Forever Grant; and, failing the appeal, Leon County will accept the Grant and serve as contractor for the Killearn Lakes Restoration Project. The motion carried 6-0, with Commissioner Proctor absent.

- Commissioner Sauls asked if this means the County will be responsible for the construction. Commissioner Grippa answered the first motion does, the 2nd is that the County would contract for the construction but the money would come out of the Grant funding.
- County Administrator Alam reported if the appeal is denied, then the County is the contractor and wanted to ensure the Board realized the cost would be greater than what is shown. Staff would need to return to the Board regarding the means of budgeting this project.

Speaker:

- Brad Trottman 7110 Beachridge Trail said he would hate to see a good project go down because the amount of money coming into the County from this project is large and the benefits to the stormwater would be worthwhile. Asks everyone sit back down to continue this process moving forward.
- Commissioner Thaell asked if the Homeowner's Association would consider donating easements to the County so the County could work around the lakes. Mr. Trottman believes they could grant some easements for the project.

23. Consideration of Authorization to the County Attorney's Office to Continue to Pursue Violators of the Clean Water Act

County Attorney Thiele stated the CAO's is seeking authority to pursue permit issues and seek some type of nutrient treatment by those discharging entities.

Commissioner Winchester moved, seconded by Commissioner Rackleff to approve Option 1: Authorize the County Attorney's Office to further investigate and pursue violations of the Clean Water Act with applicable state and federal regulations. The motion carried 6-0, with Commissioner Proctor absent.

- Commissioner Winchester reiterated the County Attorney's notation that each of the facilities concerned is coming up for permit review. The Board should try to ensure the pollutant and nitrate loading into the Talquin River is at a minimum.
- Commissioner DePuy stated he concurred with Commissioner Winchester that the Board needs to be cognizant of people upstream sending pollutants into the Leon County Water System. Commissioner DePuy thanked County Attorney Thiele for his undying efforts in the potential lawsuit with the city of Caro. Commissioner DePuy suggested the CAO's address these issues on a case by case basis and wants a letter addressed to the Federal EPA about the continuing discharges and ask them what efforts their agency has underway with the remediation of these permits coming up in 2006. The County Attorney stated his office has not been in contact with the above named agencies on the three sites concerned.
- Commissioner Sauls thanked County Attorney Thiele and his staff for their hard work handling the case involving the treatment plant out of Caro and for bringing this matter to the Board's attention. Commissioner Sauls asked if there are funds to do additional monitoring if necessary. County Attorney Thiele stated they would not need additional funds to monitor these facilities in the current fiscal year. Commissioner Sauls supports the motion.

More Board discussion ensued.

Commissioner DePuy asked the maker of the motion to amend the motion so that part of Option 1 is to contact both the EPA and the State DEP to solicit their support and to put them on notice about this in a polite way. The motion carried 6-0, with Commissioner Proctor absent.

24. Consideration of Board Action to Address Need for Limitation on Use of Eminent Domain for Economic Development

County Attorney Thiele reported this item appears for discussion as a result of the U.S. Supreme Court Decision in what is known as the "Kelo" case. An analysis, including ongoing activities of Congress, and the Florida legislature is

included. The CAO has been working with the Florida Association of Counties with regard to this issue. The CAO's position is consistent with the Florida Association of County's position. Because there is legislature going through the state system right now, the CAO 's office recommends waiting until January to see what the state legislature proposes and then react to that at that juncture.

- County Attorney Thiele gave an overview of the Kelo case at the request of Commissioner Thael . The U.S. Supreme Court authorized the City of New London to condemn property used for redevelopment activities. It was then conveyed to a private property owner to do a redevelopment activity. The argument is that is a condemnation of property by a public entity not for a public purpose, because it benefits a private entity. The contrary argument which is being made is that to the extent it constitutes a stimulus to redevelopment activity that is does serve a public purpose although not directly. That issue has prompted the House of Representatives to adopt a bill recently. *The issue is should local government continue to have the authority to condemn property for a direct private purpose even if it has an indirect public benefit.*
- Commissioner DePuy apprized the Board he requested this matter be discussed several weeks ago due to concerns expressed to him by citizens of Leon County about the County becoming 'Big Brother' and making decisions that would take private property from citizens and eventually give it to other citizens.

Commissioner DePuy moved, seconded By Commissioner Sauls to approve Option 1: Delay any Board action regarding the Kelo issue until the Board has the opportunity to review the bills to be proposed by the Florida House and Senate at the 2006 legislative session. The motion carried 6-0, with Commissioner Proctor absent.

25. Expirations, Vacancies and Appointments to: Educational Facilities Authority, Fort Braden Community Center Board of Directors, Fort Braden Recreation Council, Lake Jackson Recreation Council, Woodville Recreation Council, and Workforce Plus

County Administrator Alam stated this item addresses the appointments to various Authorities, Boards, and Councils.

APPOINTMENTS

Educational Facilities Authority

Commissioner Grippa reappointed Mr. W. Taylor Moore

Fort Braden Community Center Board of Directors

Commissioner DePuy appointed Mr. Ed Teelander

Fort Braden Recreational Council

Commissioner DePuy appointed Mr. Dante Thompson

Lake Jackson Recreation Council

Commissioner Grippa appointed Mr. John Maynard

Woodville Recreation Council

Commissioner Winchester moved to continue

Workforce Plus

Commissioner Grippa moved, seconded by Commissioner Winchester to appoint Mr. Ed Murray. The motion carried 6-0, with Commissioner Proctor out of chambers.

Housing Finance Authority

Commissioner Winchester reappointed Penny Herman.

Tourist Development Council

Commissioner Grippa moved, seconded by Commissioner Winchester to reappoint Ms. Mary Beth Foss and Ms. Michele Wilson. The motion carried 6-0, with Commissioner Proctor absent.

Scheduled Public Hearings 6:00 p.m.

26. First and Only Public Hearing to Amend Ordinance No. 00-29 Relating to the Membership of the Leon County Research and Development Authority Committee

County Administrator Alam reported Staff recommends the membership of the Leon County Research and Development Authority (LCRDA) Committee to be: County Administrator (or designee); President of the EDC; Director of the MAG Lab; President of Capital City Chamber of Commerce; Director of the College of Engineering.

Commissioner Sauls moved, seconded by Commissioner DePuy to approve Option 1: Conduct the first and only public hearing and adopt the proposed Ordinance amending Chapter 2, Article III, Division 2, Section 2-57 of the Leon County Code of Laws to establish a new Leon County Research and Development Authority Nominating Committee. The motion carried 5-0, with Commissioner Grippa out of chambers and Commissioner Proctor absent.

27. First and Only Public Hearing on the Chason Woods Subdivision Type "c" Site and Development Plan

County Administrator Alam indicated the Applicant has requested this item be continued to the 1st Meeting in January and asked County Attorney Thiele if there was any problem with continuing this matter until January, 2006.

- County Attorney Thiele stated this matter could be continued if it was to the same date, place, and time certain.

Commissioner Winchester made a motion to approve. There was no second.

Commissioner Sauls moved, seconded by Commissioner Winchester to continue the Public Hearing to January 10, 2006 at 6:00 p.m. The motion carried 6-0, with Commissioner Proctor absent.

28. First and only Public Hearing on the Montejo Subdivision Type "C" Site and Development Plan

County Administrator Alam presented the item.

- Commissioner Winchester asked if there were any speakers.

Speaker:

Matthew Parker, Parker Consulting informed the Commission he was present along with Mr. Wayne Lee, the Engineer on the Project to answer any questions on the subdivision design.

Commissioner Winchester moved, seconded by Commissioner DePuy to approve Option 1: Conduct the first and only Public Hearing and approve the deviation from development standards request and the proposed Type "C" Site and Development Plan for the proposed Montejo Residential Subdivision based on the findings of fact, conclusions of law, and conditions of approval set forth in the recommendation of the DRC. The motion carried 6-0, with Commissioner Proctor absent.

29. First of Two Public Hearings on Recommended Revisions to the Leon County Sign Code

County Administrator Alam explained this item is a revision to the Leon County Sign Code.

Commissioner Winchester moved, seconded by Commissioner DePuy to approve Option 1: Conduct the first Public Hearing on proposed revisions to the Sign Code and schedule the second and final Public Hearing for December 13, 2005 at 6:00 p.m. The motion carried 5-1, with Commissioner Grippa opposed and Commissioner Proctor out of chambers.

- Commissioner Grippa expressed a desire for the Board to review a provision for defining obscenity and stated the absence of an ordinance speaking to obscenity issues makes it difficult to remove a sign that crosses the threshold of what the community may perceive as obscene. Commissioner Grippa suggested a Community Board be created to look at input from the community regarding any obscenity issues.
- Commissioner Thael asked the County Attorney to review the recent situation that occurred in West Miami regarding signage that offended a number of citizens and provide the Board with a memo of his findings.

30. First and Only Public Hearing to Adopt Revisions to the Solid Waste Ordinance Establishing Tipping Fee Rates

County Attorney Thiele reported this is a housekeeping Ordinance to delete from the County Code the tipping fees for the landfill and to instead make this a Board Resolution process.

Commissioner Winchester moved, seconded by Commissioner DePuy to approve Option 1: Conduct first and only public hearing and adopt the attached proposed Ordinance amending Section 18-141, Leon County Code of Laws. The motion carried 6-0, with Commissioner Proctor absent.

- Commissioner DePuy asked the County Administrator if there was any plan to change the current tipping fees at this time. The County Administrator stated there were no plans to increase the fees this fiscal year.

31. Second and Final Public Hearing on an Ordinance Amending Chapter 10, Article XIV, Division 1, Leon County Code of Laws, Regarding Aquifer/Wellhead Protection

County Attorney Thiele explained this Ordinance makes significant internal changes to clarify this process and how it is applied and incorporates some of the current regulations that appear in State Code.

- Commissioner Grippa asked that this item be continued. Commissioner Grippa thanked Ms. Cherry Shaw, Assistant County Attorney and City Staff members for their diligent work on this matter. Commissioner Grippa reported an overview of some basic changes revealed a matter as it relates to wells in rural districts - wells are prohibited within 400 ft. of water and how that relates to the definition of farming or any type of commercial. Commissioner Grippa

- confirmed with Cherry Shaw, Assistant County Attorney the remainder of the changes were simply for clarification.
- Commissioner Sauls asked Staff how many vacant lots around the County's rural lakes would be on a well; and who would be affected by these changes.
 - Jamie Shekel, City of Tallahassee Utilities stated he doesn't have a specific number to answer that question. However, the wells drilled near a public water system, includes the City system, a Talquin system or any public use system. Commissioner Sauls confirmed this matter is speaking to 'public' systems, then and not lakes.
 - Mr. Shekel stated only 14 wells out of 750 would be affected using 2004 figures. His Dept. would request they connect to the public water system which is another way of protecting the Aquifer.
 - Commissioner Grippa thanked City Staff again and mentioned one of the issues that came up was horse farms and their owners' option to choose well water for their horses.
 - Corrinne Taylor, Aquifer Protection Coordinator informed Commissioner Grippa there was a provision allowing for a possible exemption. Exemption decisions would be made by Ms. Taylor and her Staff.
 - County Administrator Alam asked Commissioner Grippa if he would prefer these exemption decisions to come before the County Commission or another entity.
 - Commissioner Grippa asked if the City should be authorizing exemption to County Code.
 - County Attorney Thiele reported the City has been authorized to do so by Interlocal Agreement, acting as the County's agent.

Commissioner Grippa moved, seconded by Commissioner Winchester to approve Option 1: Conduct the second of two public hearings and adopt the attached proposed Ordinance amending Chapter 10, Article XIV, Division 1, of the Leon County Code of Laws regarding Aquifer/Wellhead Protection. The motion carried 6-0, with Commissioner Proctor absent.

Citizens to be Heard on Non-Agendaed Items (6-minute limit)

Speakers:

Mr. Jeff Wilson, sent an e-mail re: property adjacent to his. Received a letter from the builder re: concerned about run-off and they would try to protect his property. Line of trees that will be destroyed to put a driveway in. Troubled by the water run-off probabilities. Shouldn't be construction on that land.

The following addresses the Healthcare Issue

A large number of citizens belonging to Tallahassee Equality Action Ministry (TEAM) chose Mr. Barry Munroe and Pastor Brant Copeland as their spokespersons. (42 TEAM members that filled out 'speaker cards' and stayed until the end of the meeting to take advantage of the 6 minutes of time allotted to speak decided to waive their time so Mr. Munroe could express their views.)

Mr. Barry Munroe, TEAM Spokesperson stated that TEAM is a group of over 16 congregations and religious organizations representing more than 13,000 citizens. They have been examining the local healthcare issues and transportation in Tallahassee and taking the issues and proposed solutions to Commissioners individually as well as to providers.

- 1) Team would like the Commission to direct the Health Advisory Board to complete a Comprehensive Health Plan for the uninsured and to submit it to the Board by March 31, 2006. Requests the Board discuss and submit a timeline for the November 22, 2005 Commission Meeting.
- 2) Team would like the elements of the Plan include:
 - Primary preventative care for the uninsured at 200% of the federal poverty level
 - Adult dental care, mental health care and hospitalization
 - Clear outline of the current primary care providers, Bond and Neighborhood Health Services
 - Open Process for how the money will be spent
- 3) Studies have recommended that a 1/2 cent sales tax is the appropriate funding source. This recommendation is currently under study by the Primary Health Advisory Board.

TEAM is concerned that the Primary Health Advisory Board completed a draft Plan approximately 5 months ago; but, since that time has done nothing. TEAM is requesting the Board get the Comprehensive Health Plan back on track. TEAM would also like to see:

- Local study of the actual number of uninsured in Leon County.
- Give voters the opportunity to decide to tax themselves by agreeing to schedule a referendum of a 1/2 cent sales tax replacement on the November 2006 ballot. This is extremely important; they would like the ballot language prepared by May 31, 2006.

Studies indicate that for every dollar spent sending citizens to Primary Healthcare Clinics instead of Emergency Rooms taxpayers would save a tremendous amount of money.

- Commissioner Grippa suggested TEAM's goals are lofty and righteous after apologizing for being unable to attend TEAM's Meeting. Commissioner Grippa stated TEAM's desire to see everyone in Leon County receive affordable healthcare has issues that need to be addressed:
 - a) How is it delivered
 - b) Who is responsible for it

c) How do you pay for it

- Commissioner Grippa alleged part of what is causing the uninsured healthcare problem is the escalating healthcare insurance rates. Commissioner Grippa gave Capital Health Plan credit in part for no rate increase this year and suggested TEAM members give the process more time. Commissioner Grippa stated that TEAM members could attend the Advisory Board meetings first to see what Commissioner DePuy and Mr. O'Brien have accomplished.

Mr. Munroe reported that TEAM has already examined the healthcare problems in Leon County extensively and one of the graphic examples is:

- Specialists in Leon County put a 90 day moratorium on 'referrals'. Citizens who needed care in Leon County could not get it. Unemployed individuals could not get care.
- Employment based healthcare is a significant part of the solution; but it is not the full solution, since the unemployed receive no employment based benefits.
- Commissioner Grippa stated the We Care Network has had success with providing specialty needs; but, if that process has broken down Commissioner DePuy will speak to that. Commissioner Grippa indicated Bond and Neighborhood Services were available.

Mr. Munroe reported that both Bond and Neighborhood Services Clinics are 'at capacity'. This means they don't have sufficient funding or staff. TEAM is asking the Commissioners to direct the Primary Healthcare Board to look more extensively at the issues that relate to healthcare delivery in Leon County. This County doesn't want to grapple with a major crisis with their hospital like our neighboring county.

- Commissioner Rackleff agreed with Mr. Munroe's request for the Board to set some actual deadlines to address healthcare issues because the unmet needs keep growing. Commissioner Rackleff stated he and Commissioner Thaell committed to address TEAM's concerns at the meeting believing them to be reasonable.

Commissioner Rackleff moved, seconded by Commissioner Thaell, (who passed the gavel to Commissioner Sauls to be able to second the motion) a four-part motion to track the four paragraphs presented in a policy paper written by TEAM: 1) Get the drafting of the Health Plan for the Uninsured back on track and submit it to the Commission by March 31, 2006; 2) Have a discussion item for the Comprehensive Plan on the November 22, 2005 agenda that focuses on four elements: primary preventative care for uninsured at 200% of the Federal Poverty Level or below; adult dental and mental health care, as well as hospitalization; outlines for the role of the current Primary Care providers; and an impartial and open process for how the health care funds will be spent; 3) Develop idea of having a referendum of a half cent sales tax for November 2006 and have ballot language ready

by May 31, 2006; and 4) Meet with TEAM on February 1, 2006 to discuss progress of Comprehensive Health Plan.

- Commissioner Thael acknowledged his commitment to TEAM was to request an agenda item to have this discussion on November 22, 2005. Considering the November 22, 2005 meeting is the Board Reorganization meeting and the 2nd Public Hearing for Fallschase the December 13, 2005 meeting would be a better date.

Commissioner Thael asked the maker of the motion to consider having that discussion instead at the December 13, 2005 meeting.

- Commissioner Thael stated the figure of 7,000 citizens without health care was underestimated. Commissioner Thael stated the County is currently providing services for citizens at 150% of the federal poverty level and the health care issue is a very serious, potentially frightening issue. Commissioner Thael reported part of the problem is that the current system of funding is through the MSTU.
- Commissioner Thael stated current providers aren't answering their phones due to insufficient funding. Commissioner Thael stressed the demands of meeting the basic primary health care needs of the citizens of Leon County and surrounding areas along with dental and mental health care needs involves major amounts of money. Commissioner Thael stated he agrees the Board should have a full discussion on bringing forward a Comprehensive Healthcare Plan; and could perhaps look at a ¼ cents tax increase as a possibility.
- Commissioner Grippa stated the Board sees the need for this issue to be addressed; but there is not sufficient data to know how much money is needed to work on this issue. Commissioner Grippa stated he cannot support a tax without first having a plan in place.
- Commissioner DePuy thanked the citizens from TEAM for making the time to come to the meeting and he agrees and supports some, but not all the things TEAM suggests doing. Commissioner DePuy reported he does not support raising the sales tax to support indigent healthcare. Commissioner DePuy appreciates the opportunity to serve on the Primary Healthcare Implementation Advisory Board (PHIAB) and voiced the PHIAB Board's welcoming of public input. Commissioner DePuy stated he is anxious to hear the views of TEAM members for whom this issue is a vocation. Commissioner DePuy does not support the motion, and has two other concerns:
 - A neighborhood health clinic is open at the old Lincoln High School. However, the City charges rent for the use of a public building to render healthcare services to the needy.
 - Hours are mandated by the City. At times when citizens need healthcare, the building may be closed by the City.

- Commissioner DePuy stated the issue that needs to be addressed is what level of the health care issue is the county residents' responsibility – and at what level is it the responsibility of the state and the federal government. Commissioner DePuy stated TEAM members need to be in front of the just-mentioned organizations asking for consideration from those levels of government also. Thanked TEAM for keeping this issue in the forefront of consideration.
- Mr. Munroe asked the Board to simply consider putting the Comprehensive Health plan back on track and detach the tax issue a Plan would have to address a funding process.
- Commissioner DePuy stated unfortunately that is not the motion on the floor. The motion is for the Board to move forward on a sales tax referendum.
- Commissioner Sauls agreed the sales tax issue concerned her also. She was unable to attend the TEAM meeting due to attending another meeting; and was troubled by the tone of some of the e-mails she received for not attending the meeting. Commissioner Sauls stated all the Commissioners are concerned about healthcare. Commissioner Sauls stated she does not support a sales tax increase.

Commissioner Rackleff amended his motion to include all items mentioned except for #3 which refers to the half cent sales tax referendum.

Speaker:

Carol Wortham, President of AARP Chapter 3699 told Commissioner Grippa she is delighted she has Medicare and doesn't know what she'd do without it. She's gambling that she's 84 and is in good health. Therefore the \$100 premium she would have to pay living on a limited income in addition to the \$79 she would pay through her regular deductions is more than she can afford. Doesn't envy the Board members their jobs; but asks them to give very serious consideration to health care issue. Charity begins at home. She would like to think it begins locally.

Brant Copeland thanks the Board. Reminded the Board TEAM represents 25 congregations of various faiths. Apologized for any inappropriate e-mails. TEAM is not going away and will continue to address this issue in particular and hope that everyone can come to one mind about it for the good of the people in Leon County who need this help.

- Commissioner Rackleff re-stated his commitment to TEAM members. Will continue to work toward resolving health care issues. Doesn't agree some other level of government should be taking care of the health problems of this community. Commissioner Rackleff stated it is appropriate for this County government to develop a Comp Healthcare System for the uninsured in Leon

County and to raise the money locally through taxes that are rational, equitable, and sufficient to fund the system. Thanks TEAM for being thoughtful and authoritative and considers their goals a challenge to the Commission he for one hopes to live up to.

- Commissioner Thaelle stated his advocacy for primary healthcare for uninsured citizens began many years ago. The commitment to look at a sales tax is established in law. Commissioner Thaelle Stated the Board needs to let the people decide about the sales tax and referenced many options other counties have implemented. Commissioner Thaelle hopes the City would step up also. More Board discussion ensued.

Commissioner Grippa moved a substitute motion, seconded by Commissioner DePuy to ask the PHIAB Board to come back to the Commission with their recommendations on items detailed by TEAM as well as any other health care issue ideas they have by March 31, 2006.

- Commissioner Rackleff stated he votes against the substitute motion since he believes it is a means of delaying a decision on this matter.
 - Commissioner Thaelle stated passing this substitute motion enables the Board to evade a public discussion at the Commission level.
- More Board discussion ensued.

County Administrator Alam asked the maker of the motion to change the due date of the report from PHIAB to March 1, 2006 so it can be included in the Budget Recommendation.

The motion was amended to change the date of the report from PHIAB due to the Board to March 1, 2006. Also, request a report form an economist detailing what different incomes would pay under the sales tax. Motion carried 3-2, with Commissioners Rackleff and Thaelle opposed. Commissioner Winchester out of chambers and Commissioner Proctor absent.

Commissioner Grippa moved, seconded by Commissioner DePuy to reconsider his motion. The motion carried 4-1, with Commissioner Thaelle opposed, Commissioner Winchester out of chambers, and Commissioner Proctor absent.

Commissioner Grippa withdrew his motion.

- Commissioner Sauls stated the motion that is on the floor is the four issues that are stated by TEAM in the memo on healthcare.

Commissioner Thaelle offered a friendly amendment to the maker of the motion to consider directing the PHIAB Board to bring back their recommendations by March 1, 2006 and that a consent agenda item be placed on the December 13, 2005 Meeting.

Commission DePuy moved a substitute motion, seconded by Commissioner Sauls to give the Comprehensive Health Plan issue to the PHIAB Board to report back their recommendation by March 1, 2006. The motion carried 4-1, with Commissioner Rackleff opposed, Commissioner Winchester out of chambers and Commissioner Proctor absent.

County Attorney

ADD-ON:

Consideration of Correspondence and Information Regarding Presbyterian Retirement Communities

County Attorney Thiele stated TEFRA Hearings need to be scheduled. One was scheduled earlier for the Research and Development Authority that will be scheduled on November 22, 2005. Also the Board is requested to have a similar public hearing on a revision to the underlying bonds that go for Westminster Oaks. County Attorney is requesting the Board to schedule the Hearing.

Commissioner Grippa moved, seconded by Commissioner Sauls to schedule a TEFRA Hearing for November 22, 2005 at 6:00 p.m. The motion carried 5-0, with Commissioner Winchester out of chambers and Commissioner Proctor absent.

County Administrator

For the public record wanted to note the Governor's Office has included in the budget \$42.6 million for Capital Circle improvement. Wanted to publicly thanks Senator Prescott and Jim Davis. Congressman Boyd worked with Staff regarding receipt of \$16.1 for the Capital Circle Project in Leon County also. Wanted to publicly thank Congressman Boyd. Jim Davis is working on TRIP funding. Recommends a Resolution for Senator Prescott and Congressman Boyd.

- Commissioner Grippa asked if the County would lose the \$42.6 million budgeted for Capital Circle if the City doesn't want to extend Capital Circle to Orange Avenue. Commissioner Grippa requested Mr. Jim Davis, Blueprint 2000, answer in writing what happens to the \$42 million funding the County has received if the City does not agree to the project change.

Discussion Items by Commissioners

Commissioner Rackleff

Offered his regrets to the Hindu community of Tallahassee for the loss of their Temple which burnt down during their New Year's celebration. Serious blow to the Indian community. Requests Staff consider rebuilding by generating a permit.

Commissioner Rackleff moved, seconded by Commissioner DePuy to agenda an item regarding reimbursement to Fringe Benefits Management Building for the expenses they incurred when the County was considering purchasing the building. The motion carried 3-2, with Commissioners Grippa and Sauls opposed, Commissioner Winchester out of chambers, and Commissioner Proctor absent.

Commissioner Grippa

For Staff, Cavendish Cove a Type B Subdivision, thought Board had discussed having an agenda item on how to move a Type B to a Type C. This is a subdivision in the Bradfordville Study Area – there are lawsuits involved. Asked the C.A. to bring back to the Board a way to 'change the rules' so Type B developments can be changed to Type C.

Commissioner Grippa moved, seconded by Commissioner DePuy to direct Staff to bring back an item on how to amend an ordinance so the Board can change Type B developments to Type C Developments.

Look at stormwater, how it fits with the density adjacent to it, whether it meets the 4 in. standard, whether it meets all the litigation.

Commissioner Grippa moved, seconded by Commissioner DePuy to agenda an item regarding whether Florida law allows the County to have volunteers issue citations to people who violate handicapped parking regulations. The motion carried 5-0, with Commissioner Winchester out of chambers and Commissioner Proctor absent.

Commissioner Grippa moved, seconded by Commissioner Sauls to agenda an item giving the Chief Building Inspector or the Board the Authority to change or waive a requirement in the Building Code Elevation Ordinance if it results in an adverse impact toward the neighbor. Motion carried 5-0, with Commissioner Winchester out of chambers and Commissioner Proctor absent.

Commissioner Winchester

Wants to make a one time contribution to the Big Brother Big Sister Organization with \$5,000 left over from his budget this year.

Commissioner Winchester moved, seconded by Commissioner Grippa to direct staff to make a one-time contribution to the "Big Brothers Big Sisters Organization" with the \$5,000 remaining in his budget this year to be used

toward the "Big Brother Big Sister House". The motion carried 6-0, with Commissioner Proctor absent.

October – Breast cancer awareness month. The TMH Foundation in coordination with the Sharon Ewing Walker Foundation opened the Sharon Ewing Walker Center.

Commissioner Winchester moved, seconded by Commissioner Rackleff to agenda an item for consideration of funding for the Sharon Ewing Walker Breast Cancer Center for the next meeting. The motion carried 6-0, with Commissioner Proctor absent.

Thanked all the citizens who came to the Meeting to address the Healthcare Issue. Attended the TEAM Meeting. Glad to see so many TEAM members there to discuss such an important issue to the community as healthcare.

Commissioner Sauls

Asked the County Attorney to look into the 2/3 -2/3 paving projects. A citizen contacted her regarding notification he received from the Clerk's Office informing him the tax deed on his home was going to be sold for a 2/3 paving lane. His assessment is under the \$25,000 exemption so he doesn't pay any taxes and has not paid this exemption. Is there any way the 2/3 special assessments can run with the property like a lien so that when that property is sold the County could recoup their cost. Commissioner Sauls stated she didn't think it was the Board's intention to take someone's home for a 2/3 lien. Wants to look at a situation regarding a home up for sale in January.

Commissioner Sauls moved, seconded by Commissioner Grippa to agenda an item for the Board to agenda an item on the 2/3-2/3 special assessment tax lien. The motion carried 5-0, with Commissioner Winchester out of chambers and Commissioner Proctor absent.

Commissioner DePuy

The Veterans' Day Parade is Friday at 11:00 a.m. This year is very important since we are at war and a lot of Leon County residents are serving in foreign countries. His son is aboard an aircraft carrier, serving as a naval aviator. Commissioner DePuy and Lt. Commander Rackleff are veterans so he hopes the citizens of Leon County pause during their day on Friday and attend the Leon County Veteran's Day Parade to show our support for those who have done it in the past and the ones that currently are supporting this country's initiatives.

Commissioner Thael

Commissioner Winchester asked him to address this issue. Has written to the Administrator asking for an expedited schedule for moving from the Courthouse to Barnett Bank building due to the critical shortage of courtrooms to conduct civil trials.

Received a letter from the Secretary of Community Affairs, delighted Leon County has agreed to become one of the nine Capital Improvement Element Pilot communities. There are obligations and responsibilities. Also an opportunity. Was not aware we had applied to become a pilot project for the State.

- Wayne Tedder, Director of Planning stated Senate Bill 360 requires local governments to perform many functions. Staff has been looking at a number of things including utilizing model ordinances, or becoming one of the communities from which a model ordinance is developed from. The Planning Dept. requested that this County could be a part of that process to obtain on-hand experience with professionals who are developing those ordinances. It's a consultant basically free of charge to apply the new capital improvement development policies that were adopted as part of the Senate Bill 360. This will ensure that our Staff's Capital Improvement Ordinances are adopted according to Senate Bill 360 which involves substantial changes Staff needs to be aware of.

Canopy Road Citizen's Committee wants Commission to consider 12 recommendations regarding the intersection at Old St. Augustine and Capital Circle re: design, trees, right of way acquisitions – gave to County Administrator for review.

Government Finance Operations Assoc. is considering provisions that would impact State and local bond issuance in light of the impact of Hurricane Katrina – directing local and state governments be discouraged or prohibited from advanced repayments of bond issues. An agenda item asking for a local government statement preserving the County's flexibility. If these provisions go through it would preclude the County from making advanced payments. Request that Senators be e-mailed or written to strongly recommending they do not take the steps to change this law.

There being no further business to come before the Board, the meeting adjourned at 8:40 p.m.

**The next Board of County Commissioners Meeting is scheduled for
Tuesday, November 22, 2005 at 3:00 p.m.**

Cliff Thael
Chairman

Bob Inzer
Clerk of the Court

The Board Reorganization is scheduled for Tuesday, November 22, 2005 at 4:00 p.m.